

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO

UNITED STATES OF AMERICA,
Plaintiff

v.

EDGARDO TORRES AVILÉS
Defendant.

CRIMINAL NO. 00-043 (PG)

**REQUEST FOR DISCOVERY PURSUANT TO
RULE 32.1 OF FEDERAL RULES OF CRIMINAL PROCEDURE**

TO THE HONORABLE JUAN M. PÉREZ GIMÉNEZ
UNITED STATES DISTRICT JUDGE
FOR THE DISTRICT OF PUERTO RICO

COMES NOW DEFENDANT, Edgardo Torres Avilés, represented by the undersigned Court appointed counsel, and before this Honorable Court respectfully states and prays as follows:

1. The U.S. Probation has filed a motion requesting that the term of supervised release in this case be revoked.

2. *Federal Rule of Criminal Procedure 32.1 (a)(2)(B)* provides that a person who's term of supervised release is to be revoked has the right to "disclosure of the evidence against the person." The following information is requested:

- a) The notes (chronos) of the Probation Officer of the meetings held with the defendant.
- b) Results of defendant's drug tests.

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- c) Defendant's monthly reports.
- d) Copy of all documents signed by defendant concerning his appearance at U.S. Probation Office.
- e) Any and all other information directly related to the reasons for revocation that the U.S. Probation Office included in their motion.
- f) The name of the doctor, psychological and or drug treatment program or programs that the defendant was referred to by the U. S. Probation Office.
- g) The appointments given to the defendant by the doctor or treatment program.
- h) The record of assistance of the defendant to the appointments given by the doctor and/or treatment program.

3. It is respectfully requested that an order be issued by this Honorable Court in which it orders the Probation Officer to provide the information requested by defendant.

WHEREFORE it is respectfully requested that the information sought by defendant pursuant to *Federal Rule of Criminal Procedure 32.1(a)(2)(B)* be provided.

RESPECTFULLY REQUESTED.

In Guaynabo, Puerto Rico, November 21, 2005.

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CERTIFICATE OF SERVICE

On November 21, 2005, I electronically filed the foregoing Motion for Discovery using the CM/ECF system which will send notification of such filing to the following: U.S. Attorney H.S García (Attn.: Assistant U.S. Attorney Sonia Torres); U.S. Probation Officer, Attn.: Damarys I. Tellado). Also, Damarys Tellado was notified to fax 787-766-5945.

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